1:Campbell E-5 (1954-1955)1964
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established in marriage, an arrangement which expresly provides them with this avenger. Consequently, in cases where an act of vengeance concerns the sexual honour of a sister or a wife, there is little chance of it not being executed through default of a ready avenger.

A question of honour is also involved when a man breaks the contract of betrothal. The girl's brother ought to kill him. Here the attack on the girl and her family is not a physical assault upon her virginity, but the suggestion that in this or some other respect she is not worthy of marriage. And the knowledge that the breaking of the contract involves an obligation of vengeance only establishes more strongly in the minds of other members of the community the suspicion that there must exist some serious fault in the girl. I know of only two instances of broken betrothals over a period of ten years and significantly both these cases were arrangements between Sarakatsan girls and village men. Marriages between Sarakatsani are only arranged after exhaustive inquiry and considerable debate; mistakes are thus unlikely. In the first of these two cases, the former bridegroom fled to Athens after he had lost the top of a finger in an unsuccessful attempt on his life; in the second case, the father of the unhappy girl had no adult son, and was glad enough to have the additional excuse that the man lived some considerable distance away. He was loud in his threats, but in the event he did nothing; and people were quick to point out that this was exactly the kind of conduct one might have expected from this particular individual.

Between the two categories of 'affairs of honour' which I have described there is one important difference. In the first category, a killing demands a counter killing, and in theory, at least, this process may continue until all the adult male members of the two families have exterminated one another. The first killing which initiates the affair is not itself a random or indiscriminate act. It happens generally as the reply to an insult or as the consequence of a boundary dispute or some other quarrel. A man does not intend to kill in these situations, but accidents happen. The rough balance which in most cases, as we have seen, is struck between the two sides, satisfies neither group. The community remains relatively indifferent to questions of 'right' and gives its preference to the side which shows the greater manliness.

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can I do?' After the man had left the office the President explained that he would sign the form in a few days. He was a man who loved honour, he added, but it was necessary that the men who had voted against him in the recent election should learn that their interests lay in supporting him and not that communist cuckold (a reference to the leader of the opposition party).

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The Agricultural Bank has been mentioned. Each year, the shepherd applies to the bank for an annual loan, the application form for which must carry the President's signature as a guarantee that the information given by the shepherd is accurate. Long-term loans are also available from this bank to assist families which have lost their stock through disease. In these cases, the shepherd must produce evidence that the animals in fact died of a particular disease, and were not sold, or given away as dowry. In addition, the application must be approved [647] by the local officer of the Ministry of Agriculture; and this support will be hard to win if the village President has characterized the shepherd as spendthrift or inefficient.

S G 648 651 486 G 622

Twice a year when the Sarakatsani leave the mountains, or the plains, the local village President must sign a clearance certificate which confirms that all their grazing charges have been paid. This is required by the police before they will issue the pass without which a family cannot move its flocks to another district. These moneys are not paid directly to the village council but into a treasury in Jannina, whose official collector arrives in the village some three weeks before the flocks are normally moved to their winter pastures in the plains. If, as frequently S [486] happens, a Sarakatsanos is unable to pay his dues, the collector may send a demand notice to the police, and if this is not met G [661] when it is presented, the shepherd is arrested. But in many cases the President intervenes and persuades the treasury to allow the defaulter six months' grace until he returns in the spring.

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A man requires the President's signature on his identity card. He requires it when he applies for an allotment of free timber from village forest land for the repair of his house, and on other documents which it would be tedious to enumerate. In all these situations the President may be the helper who makes all things easy, or a deliberate and successful obstructionist.

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permission to burn off grass, appeals against the various restrictions on grazing in forest areas, advice about animal disease, and free distribution of sprays to combat insect pests fall within this official's competence. But in these and other questions a shepherd is often referred to the provincial office at Jannina, or in winter at Igoumenitsa, Arta, and Preveza. The Greek police, a paramilitary organization, have a central station under the command of a captain in the capital village of each local district, but sections of police are also stationed in outlying areas of the district, each section serving three or four villages. It frequently happens that Sarakatsani are late in the payment of their grazing dues. Although these are assessed by the village, they are paid to the public treasury in the provincial centre. When the police are informed by the treasury that a payment has not been made, they must attempt to serve a demand notice. If payment is again withheld, the debtor is taken under escort to the public treasury and, if he is still unable to pay, from there to prison. But the circumstance that these demands for payment must be served on one individual in person, and not merely to his home or a member of his family, results in a perpetual pantomime of hide-and-seek between police and heads of shepherd families. This causes irritation and bad feeling on both sides. It is a common experience to find a man secreted under a blanket in the darker corner of a kinsman's hut when it is known that police are in the village.

Sarakatsani are sometimes involved in difficulties with the military authorities over conscription. A family with only one son, a physically handicapped father, and without sufficient resources to hire a shepherd, may submit a case for the postponement or abbreviation of the son's term of military service before a committee of appeal. This committee, however, is not thought to be very liberal in its decisions.

The Sarakatsani face the jurisdiction of the State in their frequent adventures in courts of law.[1] The laws that concern the Sarakatsani in their daily life do not generally favour them. The interests of shepherds tend to be opposed to those of peasants or townsmen. For instance, there are many civil suits between owners of private properties and Sarakatsani who claim

[1] I am not considering here the many cases of animal trespass which are heard in local agricultural courts.

/208 cont./
691 customary law on the one hand, and ex bono et aequo on the other,
692 according to circumstances and the case at hand.
629

/209/ However, the arbiters do not have any coercive powers.

Next come the family group, the Tséligato, finally surrounding society.

These groups do not form tribunals if one takes this term in its usual meaning in which the parties concerned present themselves, state their case and demand justice.

692 Nevertheless, these groups have real authority in disputes, their
629 opinion or their attitude with regard to the adversaries already con-
696 stituting a sentence. For their judgment, formulated either according to custom or spontaneously and according to the case at hand, is binding upon the person involved, inasmuch as they have means of constraint sufficient to enforce it.

It is precisely this fact which permits us to characterize these groups as agents of ajudication and to say that their opinion is a sentence.

Moreover, thay are actually empowered to execute the sentence of the arbiters.

629 Finally, in some disputes, the concerned individuals themselves may
696 make decisions and themselves apply the sanction.

The cases in which they intervene are not numerous. Custom designates the beneficiaries of this ajudication and the conditions under which they must exercise it. However, custom gives them a certain latitude in action. Thus:

694 First, the Tséligas may at any time annul his contract with one
695 of his participants and expel him forthwith if he believes the latter
692 has not properly fulfilled his obligations. In return, the participant
694 expelled may then resort to arbitration that will pronounce upon the
(686) "sufficient grounds" of this expulsion. This mechanism is much like what

/209 cont./

takes place between the commander of a ship and the members of his crew, according to maritime law. The special and comparable conditions of the life of the Tséligato and navigation on the high seas (21)

21. K. Karabida: 'Agroticha, pp. 39 and 47.

--a life full of diverse and unforeseeable dangers which must be faced as a group, without flinching and with the means at their disposal seem to have dictated this practice.

Second: The components of an extended family (small lineages, /210/ conjugal families, adult sons) may leave the home they share if they are satisfied with the loyality of their head.

Third: Potential participants can avoid joining a Tséligato whose head does not enjoy a good reputation.

In the first and second cases the sanction is almost inevitable since the danger of non-conformity by those responsible affects the entire community, whereas in the second and third cases it is more permissive, in view of the fact that the danger affects only sub-groups and individuals.

However, these remarks would not be complete if we did not mention the interventions of the family head or of the Tséligas to settle disputes among their subjects. These interventions sometimes take the form of arbitration, sometimes of influence through the prestige of these individuals; in both cases they are ultimately upheld by the community.

Nevertheless, in order to avoid the charge that these statements are based on "petito principii" we must now prove them objectively.

If we succeed in demonstrating that the sentences reached by arbitration, as well as the judgments and opinions of groups and individuals are obligatorily imposed on those concerned, and that the latter must conform to them without fail, we shall be demonstrating at the same time that the sentences, opinions and judgments have a legal character, that therefore they are true verdicts.

Moreover, if we prove that the arbiters, the groups and the individuals,

/211 cont./

121 make sure it is fulfilled; men are always men and automatic obedience or
696 a promise would mean nothing if carrying it out were entrusted only to
692 the good will of those concerned.
629

On this point our discussions with our informants are very revealing.
696 We were told that if the person recalcitrant to the arbiters' sentence
692 is a member of a Tséligato, no other Tséligato would ever accept his
629 cooperation. If he is a Tséligas, he would immediately be abandoned by
626 all the participants and labelled "destroyer of sheepfolds" (Chalassostanis)
(686) --a name used to stigmatize a disloyal or incapable head.
(494)

The consequences of such a reaction are obvious. The one who is socially isolated, rejected by his own people, can expect only social degradation, economic ruin, exile into surrounding society. This last is his only refuge. But, since, the exiled one is not adapted to the latter he will see his condition worsen from day to day. Actually, this is enough to frighten the most courageous or the most refractory.

However, relying a little more on facts, we see that the recalcitrant one can hope for two things:

/212/ First, since he is a nomad, he can move far away from the place of arbitration and seek a setting where his behavior is not known, and be accepted there.

Second, assuming that someday his new Tséligato is informed of his conduct, there is a good chance that meanwhile he has been able to develop sufficiently close and honorable relationships with the "others" so that his unfortunate past will no longer be taken into consideration. Moreover, the absence of his adversaries permits him to give his own version of events in order to justify himself.

Now it is obvious that between the possibility of the application of envisioned punishment (which is relative) and an obedience to arbiters which is absolute (the person concerned "does not even think of disobeying") there is a discrepancy. It is difficult for us to assume that a "relative" conditioning can determine absolute effects. This shows that, in the

/215 cont./

181 671 182 groups of which we are speaking. If the latter are capable of solving actual overt cases, they are equally capable of preventing potential conflicts. We believe that here is a phenomenon of major importance and /one that is/ very characteristic of Sarakatsani society and culture.

As a matter of fact, the persons involved, faced with a concrete case, know in advance the behavior they must follow, and this for two reasons. The rules of custom are known to them. Whereas in our societies law is obliged to resort to the assumption that "no one is supposed to be ignorant of the law," in traditional societies the law is part of everyday experience. (32)

32. M. Mauss: Manuel, "the intimacy of law," p. 110.

In the second place, even in case a rule does not exist--and it might then be necessary to apply a spontaneous law for the purpose--the interested parties are in a position to foresee the decision of society. Moreover, these same individuals are perfectly conscious of the fact that if they should act contrary to these expectations, they would be facing the responses of their society which would ultimately prevail. They therefore adjust their behavior accordingly. Of course, all this goes on silently. The distress and drama that this state of affairs provokes never ruffles the surface of phenomena. The observer believes there is an automatic conformism which in fact is constantly developing and which basically maintains the life style of our herders.

* * * *

627 686 689 However, the question of whether individuals actually adjudicate by also applying at a sanction /216/ still remains open. By referring to the concrete cases of their activity that we have judged to be legal, and examining them in the light of our preceding developments, we can reply in the affirmative. The dismissal of participants by the Tséligas, at any time, the rift in the family when the head is deemed disloyal, the lack of cooperation with a dishonest Tséligas, constitute true punishments,

/216 cont./

627 decided upon and carried out by individuals. They are variants of the
686 major sanction, namely social isolation, the nature and importance of
689 which we have pointed out. With respect to the removal of the head, we have nothing to say since the facts speak for themselves.

629 After this general survey we may conclude:
692 First, that it is certain that arbiters, groups and individuals
182 determined by circumstances or by a regulation, actually perform the
626 legal functions set forth at the beginning. They enforce and demand respect for the order dictated by the customs and general ideas of their society. The first two /arbiters and groups/ do so by relying on the group and its dynamics; the individuals close /by means of/ their own specific functions recognized by the group and supported by it when they fulfill them.

Second, that the rules of organization and functioning of Sarakatsani groups, stated above, their customs as well as what we have called "their general social ideas" take the place of rules or prescriptions of law. For, depending on the cases and the circumstances, conformity to them is required. And they are followed as a result of the mechanism of "sanction-coercion," either visible or disguised.

Sarakatsani society therefore has law and agencies of law. Though they are not always apparent, they nonetheless exist.

673 CRIME AND MISDEMEANORS AMONG THE SARAKATSANI.
674 The Sarakatsani consider a certain number of acts as crimes or
(128) misdemeanors. We propose in this section to describe them, as well as to indicate the punishments associated with them and the means of which they are carried out.

Homicide and assault.

682 Respect for life and for the integrity of the body is a rule the violation of which leads to the death of the culprit.

/217/ This rule must not be considered identical with that of the penal code. A look at the situations in which it is applied will suffice